EXAMINER'S AMENDMENT

An extension of time under 37 CFR 1.136(a) is required in order to make an examiner's amendment which places this application in condition for allowance. During a telephone conversation conducted on February 4, 2008, Jie Zhou requested an extension of time for 2 MONTH(S) and authorized the Director to charge Deposit Account No. 03-1952 the required fee of $230.00 for this extension and authorized the following examiner's amendment. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the claims:

Claims 9, 10, and 16-22 were cancelled without prejudice.

Claims 56-60 were added.

Claim 2. The antibody of claim 50, wherein said cancer cell is selected from the group consisting of cancer cells from adrenal gland tumors, AIDS-associated cancers, alveolar soft part sarcoma, astrocytic tumors, bladder cancer ~~including but not limited to squamous cell carcinoma and transitional cell carcinoma~~, bone cancer ~~including but not limited to adamantinoma, aneurismal bone cysts, osteochondroma, osteosarcoma~~, brain and spinal cord

cancers, metastatic brain tumors, breast cancer, carotid body tumors, cervical cancer, chondrosarcoma, ~~dhordoma~~ chordoma, chromophobe renal cell carcinoma, clear cell carcinoma, colon cancer, colorectal cancer, cutaneous benign fibrous histiocytomas, desmoplastic small round cell tumors, ependymomas, Ewing's tumors, extraskeletal myxoid chondrosarcoma, fibrogenesis imperfecta ossium, fibrous dysplasia of the bone, gallbladder and bile duct cancers, gestational trophoblastic disease, germ cell tumors, head and neck cancers, islet cell tumors, Kaposi's Sarcoma, kidney cancer ~~including but not limited to nephroblastoma, papillary renal cell carcinoma~~, leukemias, lipoma/benign lipomatous tumors, liposarcoma/malignant lipomatous tumors, liver cancer ~~including but not limited to hepatoblastoma, hepatocellular carcinoma~~, lymphomas, lung cancer, medulloblastoma, melanoma, meningiomas, multiple endocrine neoplasia, multiple myeloma, myelodysplastic syndrome, neuroblastoma, neuroendocrine tumors, ovarian cancer, pancreatic cancers, papillary thyroid carcinomas, parathyroid tumors, pediatric cancers, peripheral nerve sheath tumors, ~~phaeochromocytoma~~ pheochromocytoma, pituitary tumors, prostate cancer, ~~posterious~~ posterior uveal melanoma, rare hematologic disorders, renal metastatic cancer, rhabdoid tumor, rhabdomysarcoma, sarcomas, skin cancer, soft-tissue sarcomas, squamous cell cancer, stomach cancer, synovial sarcoma, testicular cancer, thymic carcinoma, thymoma, thyroid metastatic cancer, and uterine cancers ~~including but not limited to carcinoma of the cervix, endometrial carcinoma, and leiomyoma~~.

Claim 3. An isolated nucleic acid comprising a polynucleotide sequence coding for the ~~immunoglobulin polypeptide~~ antibody of any one of claims 26-28, or an antigen-binding fragment thereof ~~of claim 1~~.

Claim 4. The nucleic acid ~~claim~~ of claim 3, wherein the nucleic acid is operably linked to a promoter.

Claim 6. ~~The nucleic acid of claim 3, wherein the polypeptide is a~~ An isolated nucleic acid comprising a polynucleotide sequence coding for the monoclonal antibody of claim 26 or an antigen binding fragment thereof.

Claim 7. A cultured cell line transfected, transformed or infected with a vector containing ~~a~~ the nucleic acid of claim 3.

Claim 8. A method of producing a substantially purified immunoglobulin polypeptide, or an antigen binding fragment thereof, comprising the steps of:

a. ~~Growing~~ growing a cell line transformed with the nucleic acid of claim 3 under conditions in which [the] an immunoglobulin polypeptide or antigen binding fragment is expressed; and

b. ~~Harvesting~~ harvesting the expressed immunoglobulin polypeptide or fragment.

Claim 11. ~~The method of claim 8, wherein the immunoglobulin polypeptide is a monoclonal antibody~~ A method of producing a substantially purified immunoglobulin polypeptide, or an antigen binding fragment thereof, comprising the steps of:

a. growing a cell line transformed with the nucleic acid of claim 6 under conditions in which an immunoglobulin polypeptide or antigen binding fragment is expressed; and

b. harvesting the expressed immunoglobulin polypeptide or fragment.

Claim 12. A pharmaceutical composition comprising a therapeutically effective dose of the purified ~~immunoglobulin~~ antibody of claim 26 or an antigen-binding fragment thereof, ~~of claim 26~~, linked or bound to ~~an additional~~ a therapeutic moiety, together with a pharmaceutically acceptable carrier.

Claim 15. An isolated cell line ~~consisting of~~ having a deposit number of ATCC No. PTA-4220.

Claim 26. An isolated antibody PIP produced by a host cell with a deposit number of ATCC No. PTA-4220.

Claim 47. A method of generating ~~a~~ an antibody fragment ~~according to claim 29~~ comprising expressing one or more polynucleotides encoding the fragment of claim 29, and purifying the fragment, thereby generating the fragment.

Claim 49. A method of generating ~~the~~ an antibody, ~~of claim 27 or 28~~ comprising expressing one or more polynucleotides encoding the antibody of claim 27 or 28 respectively, and purifying the antibody, thereby generating the antibody.

Claim 52. A pharmaceutical composition comprising a therapeutically effective dose of the antibody PIP of claim 26, linked or bound to a therapeutic moiety, and a pharmaceutically acceptable carrier.

Claim 53. A pharmaceutical composition comprising a therapeutically effective dose of the antibody of claim 27, linked or bound to a therapeutic moiety, and a pharmaceutically acceptable carrier.

Claim 54. A pharmaceutical composition comprising a therapeutically effective dose of the antibody of claim 28, linked or bound to a therapeutic moiety, and a pharmaceutically acceptable carrier.

Claim 55. A pharmaceutical composition comprising a therapeutically effective dose of the fragment of the antibody of claim 29, linked or bound to a therapeutic moiety, and a pharmaceutically acceptable carrier.

Claim 56 (new). The antibody of claim 2, wherein the bladder cancer is selected from the group consisting of squamous cell carcinoma and transitional cell carcinoma.

Claim 57 (new). The antibody of claim 2, wherein the bone cancer is selected from the group consisting of admantinoma, aneurismal bone cysts, osteochondroma and osteosarcoma.

Claim 58 (new). The antibody of claim 2, wherein the kidney cancer is selected from the group consisting of nephroblastoma and papillary renal cell carcinoma.

Claim 59 (new). The antibody of claim 2, wherein the liver cancer is selected from the group consisting of hepatoblastoma and hepatocellular carcinoma.

Claim 60 (new). The antibody of claim 2, wherein the uterine caner is selected from the group consisting of carcinoma of the cervix, endometrial carcinoma and leiomyoma.

The following is an examiner's statement of reasons for allowance: The after-final amendment filed 10/11/2007 together with the present examiner's amendment obviates the rejections of record.

The restriction requirement between groups I and II, set forth in the Office action mailed 6/28/2006) is withdrawn.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anne Holleran, whose telephone number is (571) 272-0833. The

examiner can normally be reached on Monday through Friday from 9:30 am to 5:00 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Larry Helms, can be reached on (571) 272-0832. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-1600.

Papers related to this application may be submitted to Group 1600 by facsimile transmission. The faxing of such papers must conform to the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). The Official Fax number for Group 1600 is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

Anne L. Holleran
Patent Examiner
February 4, 2008
/Alana M. Harris, Ph.D./
Primary Examiner, Art Unit 1643